

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

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Case No. Master File No. 3:07-cv-05944-SC

MDL NO. 1917

This Document Relates to:

*All Indirect Purchaser Actions*

*Electrograph Systems, Inc., et al. v. Hitachi, Ltd., et al.*, No. 3:11-cv-01656-SC;

*Alfred H. Siegel as Trustee of the Circuit City Stores, Inc. Liquidating Trust v. Hitachi, Ltd., et al.*, No. 3:11-cv-05502-SC;

*Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.*, No. 3:11-cv-05513-SC;

*Target Corp, et al. v. Chunghwa Picture Tubes, Ltd., et al.*, No. 3:11-cv-05514-SC;

*Sears, Roebuck and Co. and Kmart Corp. v. Chunghwa Picture Tubes, Ltd.*, No. 3:11-cv-05514-SC

**[PROPOSED] ORDER GRANTING  
HITACHI PARTIES' MOTION FOR  
SUMMARY JUDGMENT BASED UPON  
THE LACK OF EVIDENCE OF  
PARTICIPATION IN THE ALLEGED  
CONSPIRACY**

[PROPOSED] ORDER GRANTING HITACHI'S MOTION  
FOR SUMMARY JUDGMENT BASED UPON THE LACK  
OF EVIDENCE OF PARTICIPATION IN THE ALLEGED  
CONSPIRACY

CASE No.: 3:07-cv-05944-SC  
MDL No.: 1917

1 *Interbond Corporation of America, d/b/a*  
2 *BrandsMart USA v. Hitachi, et al.,*  
3 *No. 3:11-cv-06275-SC;*

4 *Office Depot, Inc. v. Hitachi, Ltd., et al.,*  
5 *No. 3:11-cv-06276-SC;*

6 *CompuCom Systems, Inc. v. Hitachi, Ltd.,*  
7 *et al., No. 3:11-cv-06396-SC;*

8 *Costco Wholesale Corporation v. Hitachi,*  
9 *Ltd., et al., No. 3:11-cv-06397-SC;*

10 *P.C. Richard & Son Long Island Corporation, et*  
11 *al. v. Hitachi, Ltd., et al., No. 3:12-cv-02648-SC;*

12 *Schultze Agency Services, LLC on behalf of*  
13 *Tweeter OPCO, LLC and Tweeter Newco, LLC v.*  
14 *Hitachi, Ltd., et al., No. 3:12-cv-02649-SC;*

15 *Tech Data Corporation, et al. v. Hitachi,*  
16 *Ltd., et al., No. 3:13-cv-00157-SC*

1 After full consideration of the evidence, briefs and authorities, and oral argument of counsel,  
2 the Court finds that there is no triable issue of material fact as to the causes of action asserted in the  
3 operative complaints of the Indirect Purchaser Plaintiffs and each of the Direct Action Plaintiffs in  
4 the above-captioned cases as to Hitachi America, Ltd. ("HAL"), Hitachi Displays, Ltd. ("HDP"),  
5 and Hitachi Electronic Devices (USA), Inc. ("HED(US)") (collectively, the "Hitachi Parties"). The  
6 Hitachi Parties are therefore entitled to judgment as a matter of law.

7 IT IS HEREBY ORDERED that the Hitachi Parties' Motion for Summary Judgment Based  
8 Upon the Lack of Evidence of Participation in the Alleged Conspiracy is GRANTED:

9 1) All claims of the Indirect Purchaser Plaintiffs and each of the Direct Action Plaintiffs  
10 in the above-captioned cases against the Hitachi Parties are dismissed.

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13 IT IS SO ORDERED.

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15 Dated: \_\_\_\_\_

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16 Hon. Samuel Conti  
17 United States District Judge  
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